

**COMMITTEE MEETING NOTICE AND AGENDA**

**WEDNESDAY, OCTOBER 15, 2014**

**8:45 A.M. OR SOON THEREAFTER**

**RECEIVED**

**COUNCIL CHAMBERS**

**HISTORIC COUNTY BUILDING**

**4396 RICE STREET, SUITE 201**

**LĪHUʻE, KAUAʻI, HAWAII 96766**

**'14 OCT -9 AM :04**

**OFFICE OF  
THE COUNTY CLERK  
COUNTY OF KAUAI**

**A. PUBLIC COMMENT**

Pursuant to Council Rule 13(e), members of the public shall be allowed a total of eighteen (18) minutes on a first come, first served basis to speak on any agenda item. Each speaker shall be limited to three (3) minutes at the discretion of the Chair to discuss the agenda item and shall not be allowed additional time to speak during the meeting. This rule is designed to accommodate those who cannot be present throughout the meeting to speak when the agenda items are heard. After the conclusion of the eighteen (18) minutes, other members of the public shall be allowed to speak pursuant to Council Rule 12(e).

**B. PLANNING COMMITTEE**

1. Minutes of the September 17, 2014 Planning Committee Meeting.
2. PL 2014-02      Communication (07/23/2014) from Councilmember Rapozo, requesting the presence of the Director of Planning to provide a briefing on the Planning Department's efforts to enforce the Transient Vacation Rental ("TVR") ordinance and deal with the various enforcement issues raised by the public and Council.  
*(Deferred 09/17/2014)*

**C. FINANCE & ECONOMIC DEVELOPMENT (TOURISM / VISITOR  
INDUSTRY / SMALL BUSINESS DEVELOPMENT / SPORTS &  
RECREATION DEVELOPMENT / OTHER ECONOMIC  
DEVELOPMENT AREAS) COMMITTEE**

1. Minutes of the September 17, 2014 Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee Meeting.
2. Bill No. 2546, Draft 1      A BILL FOR AN ORDINANCE AMENDING  
CHAPTER 5A, KAUAʻI COUNTY CODE 1987, AS  
AMENDED, RELATING TO REAL PROPERTY TAXES  
(Agronomics / Agricultural Use Definition / Reporting)  
*(Deferred 09/17/2014)*

3. Bill No. 2557 A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAXES (*Low Income Tax Credit*) (*Deferred 10/01/2014*)
4. Bill No. 2558, Draft 1 A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAXES (*Retroactive Real Property Tax Measures and Extensions*) (*Deferred 10/01/2014*)
5. Bill No. 2559, Draft 1 A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAXES (*Tax On Use*) (*Deferred 10/01/2014*)
6. Bill No. 2553 A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2014-782, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2014 THROUGH JUNE 30, 2015, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND (*Bond Fund – CIP, Fuel Tanks Hanalei Baseyard - \$9,755*) (*Public hearing held 10/08/2014*)
7. Bill No. 2560 A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, ARTICLE 6, SECTION 5A-6.4, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAXES (*Commercialized Home Use Tax Classification*) (*Public hearing held 10/15/2014 at 8:30 a.m.*)

#### **D. COMMITTEE OF THE WHOLE**

1. Minutes of the August 28, 2014 Special Committee of the Whole Meeting, Real Property Tax Workshop.
2. Minutes of the September 17, 2014 Committee of the Whole Meeting.

**E. EXECUTIVE SESSION:** *Pursuant to Hawai'i Revised Statutes (HRS) §92-7(a), the Council may, when deemed necessary, hold an Executive Session on any agenda item without written public notice if the Executive Session was not anticipated in advance. Any such Executive Session shall be held pursuant to HRS §92-4 and shall be limited to those items described in HRS §92-5(a). (Confidential reports on file in the County Attorney's Office and/or the County Clerk's Office. Discussions held in Executive Session are closed to the public.)*

1. ES-753 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4, 92-5(a) (2) and (4), the Office of the County Attorney, on behalf of the Council, requests an Executive Session with the County Council's Committee of the Whole to provide a briefing and consultation on issues pertaining to Bill No. 2546, written opinions from the Office of the County Attorney on Bill No. 2546, and related matters. This briefing and consultation involves consideration of the powers, duties, privileges, immunities and/or liabilities of the Council and the County as they relate to this agenda item. ***(Deferred 09/17/2014)***

- F. PUBLIC HEARING NOTE: Prior to the Committee Meetings, the Council will convene a public hearing at approximately 8:30 a.m., on the following. After the public hearing, the Council will convene the Committee Meetings.

*[\*For complete information, including a summary of the item, please refer to the official Notice of Public Hearing. The official Notice of Public Hearing has been published, posted on the bulletin board, and filed in the County Clerk's Office as required by law. Notwithstanding this Council Agenda, the Council may hold a public hearing on any item which has been posted in advance in compliance with the Sunshine Law.]*

***For a copy of the notice, please go to:***

***<http://www.kauai.gov/Government/CountyCouncil/PublicHearingNoticesandMinutes/tabid/599/Default.aspx>***

1. Bill No. 2560 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, ARTICLE 6, SECTION 5A-6.4, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAXES *(Commercialized Home Use Tax Classification)*

- G. NOTE: SPECIAL ACCOMMODATIONS AND SIGN LANGUAGE INTERPRETER AND INTERPRETERS FOR NON-ENGLISH SPEAKING PERSONS ARE AVAILABLE UPON REQUEST FIVE (5) DAYS PRIOR TO THE MEETING DATE, TO THE COUNTY CLERK, 4396 RICE STREET, SUITE 209, LIHU'E, KAUAI, HAWAII, 96766. TELEPHONE NO. (808) 241-4188. FACSIMILE NO. (808) 241-6349.